

## SENATE BILL No. 482

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-42-4-6.

**Synopsis:** Child solicitation. Provides that a person commits child solicitation if the person solicits an individual whom the person believes to be less than 14 years of age to engage in sexual acts. Provides that, in a prosecution for child solicitation, the state is not required to prove that the person solicited the child to perform an illicit act at some immediate time.

**Effective:** July 1, 2002.

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**Bray**

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January 14, 2002, read first time and referred to Committee on Judiciary.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 482

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-42-4-6 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. **(a) As used in this**  
3 **section, "solicit" means to command, authorize, urge, incite,**  
4 **request, or advise an individual:**

5 **(1) in person;**

6 **(2) by telephone;**

7 **(3) in writing;**

8 **(4) by using a computer network (as defined in**  
9 **IC 35-43-2-3(a));**

10 **(5) by advertisement of any kind; or**

11 **(6) by any other means;**

12 **to perform an act described in subsection (b).**

13 **(b) A person eighteen (18) years of age or older who knowingly or**  
14 **intentionally solicits a child under fourteen (14) years of age, or an**  
15 **individual the person believes to be a child under fourteen (14)**  
16 **years of age, to engage in:**

17 **(1) sexual intercourse;**



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1 (2) deviate sexual conduct; or  
2 (3) any fondling or touching intended to arouse or satisfy the  
3 sexual desires of either the child or the older person;  
4 commits child solicitation, a Class D felony. However, the offense is  
5 a Class C felony if it is committed by using a computer network (as  
6 defined in IC 35-43-2-3(a)).

7 **(c) In a prosecution under this section, including a prosecution**  
8 **for attempted solicitation, the state is not required to prove that the**  
9 **person solicited the child to engage in an act described in**  
10 **subsection (b) at some immediate time.**

11 SECTION 2. [EFFECTIVE JULY 1, 2002] IC 35-42-4-6, as  
12 amended by this act, applies only to acts committed after June 30,  
13 2002.

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